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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-----------------------|---------------------|------------------|
| 10/033,398 | 10/22/2001 | Victor Jay Liechty II | | 8545 |

7590
Jay Liechty Jr.
1250 N. 1750 W.
Provo, UT 84604

09/23/2002



EXAMINER

RICCI, JOHN A

ART UNIT PAPER NUMBER

3712

DATE MAILED: 09/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED
OCT 29 2002
OFFICE OF PETITIONS

Notice of Abandonment

Application No.
10/033,398

Applicant(s)
Liechty

Examiner
John Ricci

Art Unit
3712



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on Jul 19, 2002.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection.

(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted issue fee of \$ _____ is insufficient. A balance of \$ _____ is due.

The issue fee required by 37 CFR 1.18 is \$ _____. The publication fee, if required by 37 CFR 1.18(d) is \$ _____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed new formal drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

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JOHN RICCI
PRIMARY EXAMINER
ART UNIT 3712

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



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| SERIAL NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTY DOCKET NO. |
|---------------|-------------|-----------------------|-----------------|

EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED



NOTICE OF INSUFFICIENT FILING FEES

APPLICANT IS GIVEN 30 DAYS FROM THE DATE OF MAILING OF THIS NOTICE WITHIN WHICH TO SUBMIT THE BALANCE DUE. Extension of this 30 day period under 37 CFR 1.136(a) will not be permitted. Failure to respond within this period will result in the application becoming abandoned. 35 U.S.C. 133.

The filing fees submitted in connection with this application are insufficient. See the attached Patent Application Fee Determination Record (Form PTO-875). The balance due for additional claims and/or multiple dependent claims is summarized below:

☒ A. Filing Fees due upon filing the application

| | | |
|----------------------------|------|-------|
| Total Filing Fees Due | = \$ | 814- |
| Less Filing Fees Submitted | - \$ | (495) |
| BALANCE DUE | = \$ | 19- |

☐ B. Fees due in connection with the amendment filed on _____

| | | |
|---------------------|------|-------|
| Total Fees Due | = \$ | _____ |
| Less Fees Submitted | - \$ | () |
| BALANCE DUE | = \$ | _____ |

10/29/2002 AWONDAF1 00000086 10033398

01 FC:2202

27.00 OP

Burnell Ross - Brooks
Clerk of Group

ATTACHMENT: FORM PTO-875

APPLICANT: PLEASE COMPLETE THIS PORTION AND RETURN THIS NOTICE WITH PAYMENT

Fee submitted \$ 19.00

Signature

Jay Liechty

CERTIFICATE OF MAILING

I hereby certify that this notice and the required additional fee are being deposited with the U.S. POSTAL SERVICE as first class mail in an envelope addressed to:

Commissioner of Patents and Trademarks, Washington, D.C. 20231, on (date) _____

Print Name: Victor Jay Liechty II

Signature:

Jay Liechty
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PTOL-319 (Rev. 7/92)

Adjustment date: 10/29/2002 AWONDAF1
01/04/2002 SSITHIB1 00000060 10033398

04 FC:197

-8.00 OP

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